

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of

WESTERN KENTUCKY GAS COMPANY, A)	
DIVISION OF TEXAS AMERICAN ENERGY)	
)	
COMPLAINANT)	
)	
vs.)	CASE NO. 9278
)	
ORBIT GAS COMPANY, INC.)	
)	
DEFENDANT)	

O R D E R

On February 19, 1985, the Commission issued an Order denying the petition for rehearing of Texas American Energy Corporation ("Texas American") in Case No. 9046 because the issues raised were not fully explored or developed in that case. However, the Commission found that the issues were of such substance that they should be investigated. Therefore, the Commission will treat Texas American's petition filed January 29, 1985, as a complaint for purposes of instituting this proceeding.

Accordingly, the Commission FINDS that this case should be instituted pursuant to KRS 278.260 to investigate Texas American's complaint that Orbit Gas Company, Inc.'s proposed sale of interstate gas to Arco Metals is a jurisdictional activity that has not been approved by the Commission.

IT IS THEREFORE ORDERED that this case be and it hereby is
established to investigate Texas American's complaint.

Done at Frankfort, Kentucky, this 1st day of March, 1985.

PUBLIC SERVICE COMMISSION

Richard D. Demaree Jr.
Chairman

Paul H. B. B. B.
Vice Chairman

James Shull
Commissioner

ATTEST:

Secretary